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PTO/SB/30 (09-05)

2815-

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/888,419
<i>Filing Date</i>	June 26, 2001
<i>First Named Inventor</i>	Takenori GOTO
<i>Art Unit</i>	2815
<i>Examiner Name</i>	NGUYEN, Joseph H.
<i>Attorney Docket Number</i>	010802

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. Other _____

- b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/ Declaration(s) iv. Other

2 Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

- a. Suspension of _____ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. Other Amendment Transmittal; Extension of Time

3

Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. This Director is Notary Public
Deposit Account No. 50-2866

- i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____

- b. Check in the amount of \$ 1,526.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Sadao Kinashi	Registration No. (Attorney/Agent)	48,075
Signature		Date	December 30, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) _____ **Date** _____
Signature _____ Indicates that the signature is being filed by the public which is to file (and by the USPTO)

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takenori GOTO

Group Art Unit: 2815

Serial No.: **09/888,419**

Examiner: **NGUYEN, Joseph H.**

Filed: **June 26, 2001**

Confirmation No.: **9498**

For: **NITRIDE BASED SEMICONDUCTOR LASER DEVICE AND METHOD OF
FABRICATING THE SAME**

Attorney Docket No.: **010802**

Customer Number: **38834**

SUBMISSION UNDER 37 C.F.R. §1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

December 30, 2003

Sir:

This Submission is being filed concurrently with a Request for Continued Examination pursuant to 37 C.F.R. §1.114. Please amend the claims as follows.

Amendments to the Claims are reflected in the list of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

01/05/2004 CNGUYEN 00000078 09888419

02 FC:1202
03 FC:1201

360.00 DP
86.00 DP